



6/23/04

MESSAGES FROM THE SENATE

SB 988 (Patterson)

SB 988 would amend current law that requires a person seeking a license as a judge, referee, or boxer to pass a physical exam acceptable to the athletic board of control and present evidence of passage to the Department of Labor and Economic Growth. The bill specifies that the examination could be performed by a licensed physician, licensed physician's assistant, or a certified nurse practitioner.

- The Senate concurred with the House changes to SB 988 [RC 423: 36 yes, 0 no]. Immediate Effect was given to the bill.

FINAL PASSAGE

SB 1120 (Van Woerkom)

SB 1120 would allow the conveyance of state property in Amber Township now under the jurisdiction of the Department of Management and Budget to Mason County Road Commission for \$1.

- SB 1120 was moved to 3rd Reading. No amendments.
- SB 1120 passed [RC 446: 37 yes, 0 no].

SB 1123 (Birkholz)

SB 1123 would allow for the conveyance of two parcels of property in Prairieville Township, Barry county, Michigan now under the jurisdiction of Department of Labor and Economic Growth, for less than fair market value, to a unit of local government in which the property is located.

- Committee 1 (S-1) was adopted.
- SB 1123 was moved to 3rd Reading.
- SB 1123 passed [RC 451: 37 yes, 0 no].

SB 1124 (Stamas)

SB 1124 would allow property in the city of Alpena, now under the jurisdiction of the Michigan State Police to be conveyed, for less than fair market value, to a local unit of government in which the property is located.

- Committee 1 (S-1) was adopted.
- SB 1124 was moved to 3rd Reading.
- SB 1124 passed [RC 452: 37 yes, 0 no].

SB 1171 (Van Woerkom)

SB 1171 would define abandoned vehicles as litter. The concern that propelled this bill is that it is fairly common in southeast Michigan to find abandoned vehicles by the side of the road that have been filled with waste. The state police have no numbers on how frequently this occurs, however. There are currently 13,000 abandoned vehicles in the system which is a typical number.

Support: MI Towing Association, MEC.

- SB 1171 passed [RC 425: 37 yes, 0 no].

SB 1278 (Birkholz)

SB 1278 would prohibit a person from operating an airboat within 450 feet of a residence between 11:00 p.m. and 6:00 a.m. at a speed exceeding that required to maintain forward movement. The prohibition would not apply to the operation of an airboat in any of the following situations: in an emergency when necessary to protect public safety; in the event the airboat had run aground and needed to be freed; or for a governmental purpose, if the airboat were clearly marked and identified as being used for a governmental purpose.

- SB 1278 passed [RC 426: 37 yes, 0 no].

SB 1279 (Allen)

SB 1279 would allow for an income tax checkoff so an individual may contribute \$2 or more of their refund to the Michigan State Parks Endowment Fund.

Support: MUCC.

- SB 1279 passed [RC 427: 37 yes, 0 no].

SB 1280 (Birkholz)

SB 1280 would create a Citizen's Committee for Michigan State Parks. The committee would, among other things: 1) advise and make recommendations to the governor, commission and legislature on state parks policy, 2) seek the development of a broad variety of programs, facilities, and services for our citizens utilizing state parks, 3) inform and educate the public about the importance of and need for state parks.

Support: MUCC, DNR.

- SB 1280 passed [RC 428: 37 yes, 0 no].

SB 1281 (Stamas)

SB 1281 would create a "Gem of the Parks" award, a "Volunteer of the Year" award, and an "Employee of the Year" award.

Support: MUCC, DNR.

- SB 1281 passed [RC 429: 37 yes, 0 no].

SB 1297 (Cropsey)

SB 1297 would allow for property conveyances in Isabella, Houghton, and Wayne counties.

- Committee 1 (S-2) was adopted.
- PRUSI 1A (1 amend) was adopted.
- SB 1297 was moved to 3rd Reading.
- SB 1197 passed [RC 453: 37 yes, 0 no].

HB 4013 (Newell)

HB 4768 (Hart)

HB 4769 (SMITH)

HB 4770 (Milosch)

HB 4771 (Tabor)

HB 4772 (Vander Veen)

HB 4773 (CONDINO)

HH 4774 (Howell)

HB 4775 (Koetje)

HB 4776 (Howell)

HB 4792 (Garfield)

CHILD SUPPORT PACKAGE

HB 4013 would allow for the abatement of a father's portion of confinement/pregnancy expenses for the mother of his child if he marries the mother after the child's birth.

Support: Friend of the Court Association; DADS of Michigan, Family Law Section of Michigan State Bar (supports concept), FIA-OCS.

- Committee 1 (S-1) was defeated.
- Hardiman 2 (S-2) was adopted [no RC].
- HB 4013 was moved to 3rd Reading.
- HB 4013 passed with IE [RC 432: 37 yes, 0 no].

HB 4768 would allow expenses related to the confinement and pregnancy of an unwed mother to be apportioned between both parents, rather than requiring that only the father is liable for these expenses.

Support: Friend of the Court Association; DADS of Michigan, Family Law Section of Michigan State Bar (supports concept), FIA-OCS.

- Committee 1 (S-1) was adopted.
- HB 4768 was moved to 3rd Reading.
- HB 4768 passed with IE [RC 431: 37 yes, 0 no].

HB 4769 would allow FIA to receive the child support payments of children for whom the department makes foster care maintenance payments. This bill would also change the requirements for children whose adoptive

parents receive adoption support subsidy payments. Finally, this bill would remove the 20% cap on Child Care Fund money going to early intervention services related to delinquency/neglect within a child's home.

Support: Michigan's Children, Family Law Section of Michigan State Bar, DADS of Michigan, Friend of the Court Association, FIA-OCS.

- HB 4769 was moved to 3rd Reading. No amendments.
- HB 4769 passed with IE [RC 433: 37 yes, 0 no].

HB 4770 would create the Child Support Bench Warrant Enforcement fund, used to enforce civil warrants related to child support.

Support: Friend of the Court Association, DADS of Michigan (agree with concept, would like to see use of fund expanded to enforcing parenting time as well), FIA-OCS.

- Committee 1 (S-1) was adopted.
- HB 4770 was moved to 3rd Reading.
- HB 4770 passed with IE [RC 434: 37 yes, 0 no].

HB 4771 would set new circuit court fees for actions in which the custody, support or parenting time of minor children is determined; at the end of each month, \$10 of that fee would be transmitted to the Child Support Bench Warrant Enforcement fund.

Support: Friend of the Court Association, DADS of Michigan (agree with concept, would like to see use of fund expanded to enforcing parenting time as well), FIA-OCS.

- Committee 1 (S-3) was adopted.
- HB 4771 was moved to 3rd Reading.
- HB 4771 passed with IE [RC 435: 35 yes, 2 no].

HB 4772 would require FIA to give notice to payers if the amount of arrearages on income withholding orders is to be administratively adjusted. It would also allow for hearings to contest administrative adjustments.

Support: Friend of the Court Association, DADS of Michigan, FIA-OCS.

- Committee 1 (S-1) was adopted.
- HB 4772 was moved to 3rd Reading.
- HB 4772 passed with IE [RC 436: 37 yes, 0 no].

HB 4773 would provide new requirements for the Friend of the Court when reviewing child support orders and would also implement a new process for modification of child support orders. This bill would streamline the child support modification process, by allowing FOC to play a larger role, and would make review timelines more consistent.

Support: Friend of the Court Association, DADS of Michigan, FIA-OCS.

- Committee 1 (S-1) was adopted.
- HB 4773 was moved to 3rd Reading.
- HB 4773 passed with IE [RC 437: 37 yes, 0 no].

HB 4774 would allow for circumstances when a surcharge on past due child support is not assessed, and would also allow for a motion to be filed for a repayment plan that waives future and current surcharges. This bill would lower the surcharge for all parents, and would allow those in the worst circumstances the ability to have the surcharge deferred or at least set up a repayment plan. This would, hopefully, encourage those parents who do not pay because of high arrearages to reconsider making payments.

Support: Friend of the Court Association, DADS of Michigan, FIA-OCS.

Oppose: Family Law Section of Michigan State Bar.

- Committee 1 (S-3) was adopted.
- HB 4774 was moved to 3rd Reading.
- HB 4774 passed with IE [RC 438: 37 yes, 0 no].

HB 4775 would require, in most circumstances, that child support obligations would be retroactive only to the date the paternity complaint was filed. This bill would more fairly assess support obligation upon fathers who had not previously been assigned paternity. Some fathers may not know that they even had the child in question; an assessment of support for up to 6 years prior to the filing of the paternity complaint could be an incredibly large sum, and could encourage newly adjudged fathers not to pay.

Support: Friend of the Court Association, DADS of Michigan, FIA-OCS.

Oppose: Family Law Section of Michigan State Bar.

- Committee 1 (S-1) was adopted.
- HB 4775 was moved to 3rd Reading.
- HB 4775 passed with IE [RC 439: 37 yes, 0 no].

HB 4776 would provide that a referee's recommended order in a domestic relations matter could be presented to the court for entry of an interim order and allow each county to establish a citizen Friend of the Court (FOC) advisory committee, rather than require it; and revise the composition of the committees.

- Committee 1 (S-1) was adopted.
- Hardiman 1A (2 amends) was adopted [no RC].
- HB 4776 was moved to 3rd Reading.
- HB 4776 passed with IE [RC 440: 37 yes, 0 no].

HB 4792 would allow a payer of child support, in certain circumstances, to set up a payment plan if he or she owes back child support.

Support: Friend of the Court Association, DADS of Michigan, FIA-OCS.

Oppose: Family Law Section of Michigan State Bar.

- Committee 1 (S-1) was adopted.
- HB 4792 was moved to 3rd Reading.
- HB 4792 passed with IE [RC 441: 37 yes, 0 no].

HB 4062 (WOJNO)

HB 4062 would require the Department of Community Health to establish a 24-hour toll-free telephone consumer complaint line for nursing homes. The bill would delete the seven-day deadline for the DCH to help a person reduce an oral complaint to writing, and instead require the DCH to do so as provided below.

Support: AARP, MI Advocacy Project, MI Assn. of Long Term Care Ombudsmen, MI Protection and Advocacy Service, Health Care Assn. of MI, DLEG.

- HB 4062 passed with IE [RC 430: 37 yes, 0 no].

HB 4232 (Koetje)

HB 4930 (Koetje)

HB 4232 allow Kent County to transfer escrowed liquor licenses to any governmental unit within the county as occurs in other counties. The bill would also exempt the City of Grand Rapids from the requirement that an applicant for an on-premise resort or resort economic development license submit verification that he or she first attempted to secure an escrowed license or quota license. This provision would apply until July 1, 2009.

Support: Michigan Licensed Beverage Association, Michigan Restaurant Association.

- Committee 1 (S-1) was adopted.
- HB 4232 was moved to 3rd Reading.
- HB 4232 passed with IE [RC 450: 35 yes, 1 no (Cropsey)].

HB 4930 would allow a municipal golf course in Grand Rapids to be eligible for a tavern liquor license (beer and wine).

Support: City of Grand Rapids, Michigan Licensed Beverage Association.

Oppose: Michigan Golf Course Association -- The bill would allow a municipal golf course to compete with a privately owned golf course.

- Committee 1 (S-1) was adopted.
- HB 4930 was moved to 3rd Reading.
- HB 4930 passed with IE [RC 449: 36 yes, 1 no (Cropsey)].

HB 4710 (Caswell)

HB 4710 would give a time extension (and penalty exemption) for active military who are stationed in a combat zone. The bill uses the Federal exemption as the measure for the time in which filing is delayed.

- HB 4710 was moved to 3rd Reading. No amendments.
- HB 4710 passed with IE [RC 447: 37 yes, 0 no].

HB 5094 (MURPHY)

HB 5094 would require, upon the request of a school superintendent the superintendent or his/her representative, the head of the local road authority (or MDOT) or their respective representative, and the local law enforcement or their representative shall meet at not less than 5 year intervals and decide whether to conduct a traffic and engineering study to determine the need of a school cross walk within a safe distance from a road with a speed limit of 25 miles or more per hour.

There is a section in the bill that this law be named after 13-year old Jasime Miles, who was killed while crossing the street to attend school in the Waverly School District on May 13, 2004.

Support: MDOT, Michigan's Children, Safe Miles for Jasmine Committee , CRAM, MML.

- HB 5094 passed with IE [RC 424: 37 yes, 0 no].

HB 5232 (Stakoe)

HB 5232 would specify that an ambulance operation that was licensed to provide advanced life support and that has more than one ambulance licensed under its operation could operate an ambulance licensed to provide basic life support or limited advanced life support at a higher level of life support.

Support: DCH, Independence Township Fire Dept, Windsor Township, MI Township Assn., State EMS Assn.

- Committee 1 (S-2) was adopted.
- JACOBS 1A (1 amend) was adopted.
- SCOTT 1B was (1 amend) was adopted.
- HB 5232 was moved to 3rd Reading.
- HB 5232 passed with IE [RC 442: 37 yes, 0 no].

HB 5243 (Palsrok)

HB 5243 would allow the Michigan Strategic Fund Board to designate a tool and die renaissance recovery zone on property leased by a qualified tool and die business, as well as on property owned by a qualified business (as presently allowed).

- Committee 1 (S-1) was adopted.
- HB 5243 was moved to 3rd Reading.
- HB 5243 passed with IE [RC 443: 37 yes, 0 no].

HB 5492 (Wenke)

HB 5492 would allow Brook Lodge to be eligible for a hotel liquor license (liquor, beer, and wine). Brook Lodge in Augusta is part of Michigan State University's Kellogg Center. MSU operates Brook Lodge as part of its hospitality degree program.

Support: Kalamazoo Convention and Visitors Bureau, Kalamazoo Chamber of Commerce, Michigan State University, Michigan Licensed Beverage Association.

- HB 5492 was moved to 3rd Reading. No amendments.
- HB 5492 passed with IE [RC 448: 36 yes, 1 no (Cropsey)].

HB 5807 (MCCONICO)

HB 5808 (Bradstreet)

HB 5807 would allow independent transmission companies and affiliated transmission companies to condemn property that is necessary to transmit electricity for public use.

- Committee 1 (S-1) was adopted.
- HB 5807 was moved to 3rd Reading.
- HB 5807 passed with IE [RC 444: 37 yes, 0 no].

HB 5808 would apply laws governing construction of electric transmission lines to independent transmission companies and affiliated transmission companies, in addition to traditional electric companies.

- HB 5808 was moved to 3rd Reading. No amendments.
- HB 5808 passed with IE [RC 445: 37 yes, 0 no].

RESOLUTIONS

HCR 49 (Shackleton)

HCR 49 would approve the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Plumbers and Pipefitters Building.

- HCR 49 was adopted [RC 454: 37 yes, 0 no].